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News Release

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Winnebago company sentenced for violating the Clean Water Act

A Winnebago company was sentenced today in federal court for discharging into Rice Lake wastewater containing a pollutant. The act is a violation of the Clean Water Act, the federal law aimed at protecting our nation's waters. In St. Paul, United States Magistrate Judge Jeanne Graham fined the company \$100,000 and ordered it to make a \$50,000 community service payment to the Minnesota Department of Natural Resources (DNR) to benefit the Rice Creek Watershed. Judge Graham also required Corn Plus to implement an Environmental Compliance Plan and a Code of Conduct as well as retain a full-time Environmental Health and Safety manager.

"The defendant's negligent discharge of polluted wastewater posed a risk to aquatic life in Rice Lake," said Randy Ashe, special agent in charge of the Environmental Protection Agency's criminal office in Chicago. "This conviction sends a message to potential violators that if you break the law, you will be prosecuted."

Corn Plus, an ethanol producer, pleaded guilty on August 19, 2009, to one count of negligent discharge of pollutants under the Clean Water Act. The company was charged on August 3. As part of the plea agreement, Corn Plus admitted that between 2005 and August 2007, it failed to exercise due and reasonable care in preventing wastewater that contained biological oxygen demand, a pollutant, from entering a drain on company property and emptying into Rice Lake, which is part of the Rice Creek Watershed.

The required \$50,000 payment will be matched by the Reinvest in Minnesota Critical Habitat Match Program. The funds will be used to purchase 25 acres of land that include an outlet to Rice Lake. Ducks Unlimited will then install a fish barrier at the outlet, which is necessary to keep unwanted fish species from migrating into the Lake. Funding for the Reinvest in Critical Habitat Program comes from proceeds generated by critical habitat license plate sales.

This case was the result of an investigation by the Environmental Protection Agency and the Minnesota Pollution Control Agency. It was prosecuted by Assistant U.S. Attorney David M. Genrich.